No. 15-927

SUPREME COURT, U.S.
FILED
JUL 15 2015
OFFICE OF THE CLERK

IN THE

Supreme Court of the United States

SCA HYGIENE PRODUCTS AKTIEBOLAG AND SCA PERSONAL CARE, INC.,

Petitioners,

v.

FIRST QUALITY BABY PRODUCTS, LLC, FIRST QUALITY HYGIENIC, INC., FIRST QUALITY PRODUCTS, INC., AND FIRST QUALITY RETAIL SERVICES, LLC,

Respondents.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

JOINT APPENDIX

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PETITION FOR CERTIORARI FILED JANUARY 19, 2016
CERTIORARI GRANTED MAY 2, 2016

265774

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The following documents have been omitted in printing this Joint Appendix because they appear in the appendix of the Petition for a Writ of Certiorari on the following pages:

APPENDIX A — OPINION OF THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT, DECIDED SEPTEMBER 18, 2015 .....1a

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APPENDIX C — MEMORANDUM OPINION AND ORDER OF THE UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF KENTUCKY, BOWLING GREEN DIVISION, FILED JULY 16, 2013 . . . . .92a

The following documents have been omitted in printing this Joint Appendix because they appear in the appendix of the Reply Brief of Petitioners on the following pages:

APPENDIX A — FINAL RESOLUTION 108B OF THE AMERICAN BAR ASSOCIATION, ADOPTED FEBRUARY 8, 2016 . . . . . .1a

APPENDIX B — PROPOSED RESOLUTION 108B AND REPORT OF THE AMERICAN BAR ASSOCIATION. 2a

APPENDIX A — RELEVANT DOCKET ENTRIES

RELEVANT DOCKET ENTRIES FROM THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT, NO. 2013-1564

Date Filed	#	Docket Text
08/14/2013	1	Appeal docketed. Received: 08/13/2013. [98008] Entry of Appearance due 08/28/2013. Certificate of Interest is due on 08/28/2013. Docketing Statement due 08/28/2013. Appellant/ Petitioner's brief is due 10/15/2013.
		* * *
08/26/2013	3	Certificate of Interest for the Appellants SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc. Service: 08/26/2013 by email. [100200]
08/26/2013	4	Docketing Statement for the Appellants SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc. Service: 08/26/2013 by email. [100202]
		* * *
08/27/2013	13	Corrected Certificate of Interest for the Appellees First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc. and First Quality Retail Services, LLC. Service: 08/27/2013 by email. [100380]

Appendix A

08/27/2013	14	Corrected Docketing Statement for the Appellees First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc. and First Quality Retail Services, LLC. Service: 08/27/2013 by email. [100381]

* * *

10/15/2013	24	BRIEF FILED for Appellants SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc. [23], [22]. Title: Brief for Plaintiffs-Appellants SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc., [Confidential and Non-Confidential versions]. Number of Pages: 52. Service: 10/15/2013 by email. Pursuant to ECF-10, filer is directed to file six copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 10/21/2013. Appellees First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc. and First Quality Retail Services, LLC brief is due 11/29/2013. [110676]

* * *

11/12/2013	26	MOTION of Appellees First Quality Baby Products, LLC, First Quality

Hygienic, Inc., First Quality Products, Inc. and First Quality Retail Services, LLC to extend the time to 12/16/2013 to file the appellee/respondent/cross-appellant's principal brief. Response/ Opposition is due 11/25/2013 [Consent: unopposed]. Service: 11/12/2013 by email. [116322]

11/20/2013 27 ORDER granting motion to extend time to file appellees' principal brief [26] filed by Appellees, and granting motion to extend time to file appellants' reply brief. The appellees' principal brief is due 12/16/2013 and the appellants' reply brief is due 01/16/2014. Service: 11/20/2013 by clerk. [118372]

* * *

12/16/2013 30 BRIEF FILED for Appellees First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc. and First Quality Retail Services, LLC [29], [28]. Title: confidential and non-confidential brief of defendants-appellees, [Confidential and Non-Confidential versions]. Number of Pages: 10506. Service: 12/16/2013 by email. Pursuant to ECF-10, filer is directed to file six copies of the brief in paper format. The paper

copies of the brief should be received by the court on or before 12/23/2013. [123935]

* * *

01/16/2014 35 BRIEF FILED for Appellants SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc. [32], [33]. Title: Reply Brief for Plaintiffs-Appellants SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc., [Confidential and Non-Confidential versions]. Number of Pages: 19. Service: 01/16/2014 by email. Pursuant to ECF-10, filer is directed to file six copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 01/22/2014. Appendix is due 01/27/2014. [130168]

* * *

01/23/2014 39 APPENDIX FILED for SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc. [37], [38]. Title: Joint Appendix, [Confidential and Non-Confidential versions]. Number of Pages: 472. Service: 01/23/2014 by email. Pursuant to ECF-10, filer is directed to file six copies of the brief in paper format. The paper copies of the

brief should be received by the court on or before 01/29/2014. [131599]

* * *

02/21/2014 45 NOTICE OF CALENDARING. Panel: 1404E. Case scheduled Apr 08, 2014 10:00 a.m. at the United States Court of Appeals for the Federal Circuit (Howard T. Markey National Courts Building, 717 Madison Place, N.W. Washington, DC 20439), Courtroom 402. Response to oral argument order due: 03/17/2014. Counsel should check-in 30 minutes prior to the opening of the session. Please review the Oral Argument Order. [137166] [13-1674, 13-1236, 13-1564]

02/24/2014 46 Citation of Supplemental Authority pursuant to Fed. R. App. P. 28(j) for Appellees First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc. and First Quality Retail Services, LLC. Service: 02/24/2014 by email. [137713]

* * *

03/12/2014 49 RESPONSE of Appellants SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc. to the supplemental

authority [46] filed by Appellees First Quality Retail Services, LLC, First Quality Baby Products, LLC, First Quality Hygienic, Inc. and First Quality Products, Inc. in 13-1564. Service: 03/12/2014 by email. [141380]

04/08/2014	50	Submitted after ORAL ARGUMENT by Martin J. Black, Esq. for SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc. and Mr. Kenneth George for First Quality Retail Services, LLC, First Quality Baby Products, LLC, First Quality Hygienic, Inc. and First Quality Products, Inc. Panel: Judge: Reyna, Judge: Wallach, Judge: Hughes. [146610]
05/27/2014	51	Citation of Supplemental Authority pursuant to Fed. R. App. P. 28(j) for Appellants SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc. Service: 05/27/2014 by email. [157017]
05/28/2014	52	RESPONSE of Appellees First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc. and First Quality Retail Services, LLC to the supplemental authority [51] filed by Appellants SCA

Hygiene Products Aktiebolag and SCA Personal Care, Inc. in 13-1564. Service: 05/28/2014 by email. [157408]

* * *

09/17/2014	54	OPINION and JUDGMENT filed. The judgment or decision is: Affirmed-in-Part, Reversed-in-Part, and Remanded. (Precedential Opinion). (For the Court: Reyna,Circuit Judge; Wallach,Circuit Judge and Hughes,Circuit Judge). [183336] Vacated pursuant to the court's order. See Doc. No. [76]
10/15/2014	55	Petition for panel rehearing, for en banc rehearing filed by Appellants SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc. Service: 10/15/2014 by email. [190152]

* * *

10/21/2014	57	The court invites a response from Appellees First Quality Baby Products, LLC, et al. to the petition for panel rehearing, petition for en banc rehearing filed by Appellants in 13-1564. [191321]

* * *

Appendix A

10/29/2014	63	MOTION of Medinol Ltd. for leave to file amicus brief in support of SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc. on petition for panel rehearing [55], petition for en banc rehearing [55]. Response/ Opposition is due 11/13/2014 [Consent: unopposed]. Service: 10/29/2014 by email. [193771]

* * *

10/29/2014	67	MOTION of The Toro Company for leave to file amicus brief in support of SCA Hygiene Products Aktiebolag and Personal Care, Inc. on petition for panel rehearing [55], petition for en banc rehearing [55]. Response/ Opposition is due 11/13/2014 [Consent: not addressed]. Service: 10/29/2014 by email. [193785]

* * *

11/03/2014	70	ORDER filed granting motions to file amicus briefs on rehearing petition [63], [67]. By: Court (Per Curiam). Service as of this date by Clerk of Court. [194499]
11/03/2014	71	AMICUS BRIEF FILED for Medinol Ltd. [64]. Number of Pages: 10. Service: 10/29/2014 by email. [194502]

11/03/2014	72	**AMICUS BRIEF FILED** for Toro Company, The [68]. Number of Pages: 10. Service: 10/29/2014 by email. Pursuant to ECF-10, filer is directed to file 16 copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 11/05/2014. [194503]

* * *

11/04/2014	74	**RESPONSE** of Appellees First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc. and First Quality Retail Services, LLC to the petition for panel rehearing [55] filed by Appellants SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc. in 13-1564, petition for en banc rehearing [55] filed by Appellants SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc. in 13-1564. Service: 11/04/2014 by email. [194962]

* * *

12/30/2014	76	**ORDER** filed granting petition for en banc rehearing [55] filed by Appellants SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc.; vacating the 09/17/2014 precedential opinion [54]; reopening appeal; setting briefing

schedule. Appellants' brief is due 02/13/2015. By: En Banc (Per Curiam). Service as of this date by Clerk of Court. [206524]

01/12/2015 77 MOTION of Appellants SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc. to extend the time to 02/27/2015 to file the appellant/petitioner's principal brief. Response/Opposition is due 01/26/2015 [Consent: unopposed]. Service: 01/12/2015 by email. [208927]

01/15/2015 78 ORDER filed granting motion to extend time to file appellants' en banc brief [77] filed by Appellants SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc. Brief due 02/27/2015. By: En Banc (Per Curiam). Service as of this date by Clerk of Court. [209999]

* * *

02/27/2015 84 BRIEF FILED for Appellants SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc. [81]. Number of Pages: 40. Service: 02/27/2015 by email. Pursuant to the court's order, filer is directed to file 30 copies of the confidential version of the brief in paper format. The paper copies of the

brief should be received by the court on or before 03/09/2015. Appellees First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc. and First Quality Retail Services, LLC brief is due 04/02/2015. [220755]

* * *

03/06/2015 94 AMICUS BRIEF FILED for Intellectual Property Owners Association [93]. Number of Pages: 29. Service: 03/05/2015 by email. Pursuant to the court's order, filer is directed to file 30 copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 03/11/2015. [221882]

* * *

03/06/2015 112 CORRECTED AMICUS BRIEF FILED for Stephanos Bibas, Samuel L. Bray and John F. Duffy [109]. Number of Pages: 21. Service: 03/06/2015 by email. Pursuant to the court's order, filer is directed to file 30 copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 03/11/2015. [222174]

Appendix A

03/06/2015 113 CORRECTED AMICUS BRIEF FILED for Morris Reese [111]. Number of Pages: 4. Service: 03/06/2015 by email. Pursuant to the court's order, filer is directed to file 30 copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 03/11/2015. [222181]

* * *

03/06/2015 124 CORRECTED AMICUS BRIEF FILED for ART+COM Innovationpool GmbH [114]. Number of Pages: 19. Service: 03/06/2015 by email. Pursuant to the court's order, filer is directed to file 30 copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 03/16/2015. [222301]

03/06/2015 125 AMICUS BRIEF FILED for Conejo Valley Bar Association [119]. Number of Pages: 6. Service: 03/06/2015 by email. Pursuant to the court's order, filer is directed to file 30 copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 03/16/2015. [222302]

03/06/2015 126 AMICUS BRIEF FILED for Medinol Ltd. [123]. Number of Pages: 27.

Service: 03/06/2015 by email. Pursuant to the court's order, filer is directed to file 30 copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 03/16/2015. [222305]

* * *

03/10/2015 134 MOTION of Appellees First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc. and First Quality Retail Services, LLC to extend the time to 04/16/2015 to file the appellee/respondent/cross-appellant's principal brief. Response/Opposition is due 03/23/2015 [Consent: unopposed]. Service: 03/10/2015 by email, US mail. [222896]

* * *

03/11/2015 140 CORRECTED AMICUS BRIEF FILED for AIPLA [139]. Number of Pages: 12. Service: 03/10/2015 by email. Pursuant to the court's order, filer is directed to file 30 copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 03/16/2015. [223348]

* * *

03/13/2015	143	ORDER filed granting motion to extend time to file appellees' en banc response brief [134] filed by Appellees First Quality Retail Services, LLC, First Quality Baby Products, LLC, First Quality Hygienic, Inc. and First Quality Products, Inc. Brief due 04/16/2015. By: En Banc (Per Curiam). Service as of this date by Clerk of Court. [223960]

* * *

04/16/2015	147	MOTION of Appellants SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc. to extend the time to 05/15/2015 to file the reply brief. Response/Opposition is due 04/30/2015 [Consent: unopposed]. Service: 04/16/2015 by email. [233505]

* * *

04/16/2015	149	BRIEF FILED for Appellees First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc. and First Quality Retail Services, LLC [148]. Number of Pages: 51. Service: 04/16/2015 by email. Pursuant to the court's order, filer is directed to file 30 copies of the brief in paper format. The paper copies of the

brief should be received by the court on or before 04/22/2015. Appellants SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc. reply brief is due 05/01/2015. [233747]

* * *

04/21/2015 155 AMICUS BRIEF FILED for Garmin International, Inc., Limelight Networks, Inc., Linkedin Corporation, Mentor Graphics Corporation, Newegg Inc., SAP America, Inc., SAS Institute Inc., Symmetry LLC and Xilinx, Inc. [153]. Number of Pages: 27. Service: 04/21/2015 by email. Pursuant to ECF-10, filer is directed to file six copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 04/27/2015. [234853]

04/22/2015 154 ORDER filed granting motion to extend time to file reply brief [147] filed by Appellants SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc. reply brief is due 05/15/2015. By: En Banc (Per Curiam). Service as of this date by Clerk of Court. [234770]

* * *

04/23/2015 197 AMICUS BRIEF FILED for Ashmasons LLP [170]. Number of Pages: 33. Service: 04/23/2015 by email. Pursuant to court order, filer is directed to file 31 copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 04/29/2015. [235458]

04/23/2015 198 AMICUS BRIEF FILED for CTIA The Wireless Association, Dell Inc., Google Inc., Hewlett-Packard Company, Intel Corporation, Marvell Semiconductor, Inc. and Xerox Corporation [171]. Number of Pages: 27. Service: 04/23/2015 by email. Pursuant to the court order, filer is directed to file 31 copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 04/29/2015. [235475]

04/23/2015 199 AMICUS BRIEF FILED for Cordis Corporation and Johnson & Johnson [173]. Number of Pages: 28. Service: 04/23/2015 by email. Pursuant to the court order, filer is directed to file 31 copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 04/29/2015. [235486]

04/23/2015 201 AMICUS BRIEF FILED for Electronic Frontier Foundation and Public Knowledge [180]. Number of Pages: 20. Service: 04/23/2015 by US mail, email. Pursuant to the court order, filer is directed to file 31 copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 04/29/2015. [235505]

04/23/2015 202 AMICUS BRIEF FILED for Askeladden, L.L.C. [182]. Number of Pages: 28. Service: 04/23/2015 by email, US mail. Pursuant to the court order, filer is directed to file 31 copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 04/29/2015. [235510]

04/23/2015 203 AMICUS BRIEF FILED for Universal Remote Control, Inc. [183]. Number of Pages: 20. Service: 04/23/2015 by US mail, email. Pursuant to the court order, filer is directed to file 31 copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 04/29/2015. [235513]

04/23/2015 204 AMICUS BRIEF FILED for AT&T Mobility II LLC and T-Mobile USA, Inc. [187]. Number of Pages: 27. Service: 04/23/2015 by email, US mail. Pursuant to the court order, filer is directed to file 31 copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 04/29/2015. [235520]

04/23/2015 205 AMICUS BRIEF FILED for Cook Medical LLC [188]. Number of Pages: 12. Service: 04/23/2015 by email. Pursuant to the court order, filer is directed to file 31 copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 04/29/2015. [235523]

04/23/2015 206 AMICUS BRIEF FILED for Hydro Engineering, Inc. [192]. Number of Pages: 24. Service: 04/23/2015 by email. Pursuant to the court order, filer is directed to file 31 copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 04/29/2015. [235528]

04/23/2015 207 AMICUS BRIEF FILED for Roche Molecular Systems, Inc. [196]. Number of Pages: 26. Service: 04/23/2015 by email. Pursuant to the court order, filer is directed to file 31 copies of the

brief in paper format. The paper copies of the brief should be received by the court on or before 04/29/2015. [235531]

* * *

04/24/2015 224 CORRECTED AMICUS BRIEF FILED for Briggs & Stratton Corp., Harley-Davidson Motor Company, Inc., Jockey International, Inc., Rockwell Automation, Inc. and Wisconsin Manufacturers & Commerce [214]. Number of Pages: 19. Service: 04/24/2015 by email. Pursuant to the courts order, filer is directed to file 31 copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 05/04/2015. [235912]

* * *

04/29/2015 236 CORRECTED ENTRY: ORDER filed scheduling oral argument. Oral argument en banc for this appeal is scheduled for June 19, 2015 at 10:00 a.m. Each side will have 30 minutes of total argument time. [see order for details] By: En Banc (Per Curiam). Service as of this date by Clerk of Court. [236427]--[Edited 04/29/2015 by SJ - Reason: to correct relief selected]

Appendix A

04/29/2015 237 NOTICE OF CALENDARING. Panel: 1506Q. Case scheduled Jun 19, 2015 10:00 a.m. at the United States Court of Appeals for the Federal Circuit (Howard T. Markey National Courts Building, 717 Madison Place, N.W. Washington, DC 20439), Courtroom 201. Counsel should check-in 30 minutes prior to the opening of the session. Please review the Oral Argument Order. [236452]

* * *

05/15/2015 246 REPLY BRIEF FILED for Appellants SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc. [245]. Number of Pages: 27. Service: 05/15/2015 by US mail, email. Pursuant to ECF-10, filer is directed to file six copies of the brief in paper format. The paper copies of the brief should be received by the court on or before 05/26/2015. [REMOVED - Appendix is due 05/26/2015.] [241627]--[Edited 05/19/2015 by ALT]

* * *

06/19/2015 255 Submitted after ORAL ARGUMENT by Martin J. Black, Esq. for SCA Hygiene Products Aktiebolag and

Appendix A

SCA Personal Care, Inc. and Mr. Kenneth George for First Quality Retail Services, LLC, First Quality Baby Products, LLC, First Quality Hygienic, Inc. and First Quality Products, Inc. Panel: En Banc. [249875]

* * *

09/18/2015 258 OPINION and JUDGMENT filed. The judgment or decision is: Reversed and Remanded. (Precedential Opinion). (For the Court: Prost,Chief Judge; Newman,Lourie, Dyk, Moore, O'Malley, Reyna, Wallach, Taranto, Chen, Hughes, and Stoll,Circuit Judges). Opinion for the court filed by Chief Judge PROST in which Circuit Judges NEWMAN, LOURIE, DYK, OMALLEY, REYNA join. Opinion concurring-in-part, dissenting-in-part filed by Circuit Judge HUGHES in which Circuit Judges MOORE, WALLACH, TARANTO, CHEN join. [273346]

10/26/2015 259 Mandate issued to the United States District Court for the Western District of Kentucky. Service as of this date by Clerk of Court. [283284]

Appendix A

12/01/2015	260	**Notice from the Supreme Court of the United States: The time within which to file a petition for writ of certiorari has been extended to 1/19/16. [293204]**
01/22/2016	261	**Petition for writ of Certiorari filed on 01/19/2016 in the Supreme Court of the United States. Supreme Court #: 15-927, SCA Hygiene Products Aktiebolag v. First Quality Baby Products. [305777]**
05/02/2016	262	**The petition for writ of certiorari, [15-927], filed on 01/19/2016, was Granted on 05/02/2016. [331279]**

* * * *

Appendix A

RELEVANT DOCKET ENTRIES FROM THE U.S. DISTRICT COURT WESTERN DISTRICT OF KENTUCKY (BOWLING GREEN) CIVIL DOCKET FOR CASE #: 1:10-CV-00122-GNS-HBB

Date Filed	#	Docket Text
08/02/2010	1	COMPLAINT filed by SCA Hygiene Products Aktiebolag and SCA Personal Care, Inc., against First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc. and First Quality Retail Services, LLC. Filing fee $ 350, receipt number 0644-1094016. (Attachments: # 1 Exhibit A- 646 patent, # 2 Cover Sheet, # 3 Tendered Summons- Quality Baby Products, LLC, # 4 Tendered Summons-First Quality Hygienic, Inc., # 5 Tendered Summons- First Quality Products, Inc., # 6 Tendered Summons- First Quality Retail Services, LLC) (PHB) Modified on 8/2/2010 to correct filers name. (PHB). (Entered: 08/02/2010)
		* * *
08/24/2010	12	Proposed Agreed Order/Stipulation *to Enlarge Date for Response to*

Appendix A

Complaint by First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC, SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. (O'Brien, Thomas) (Entered: 08/24/2010)

08/25/2010 13 AGREED ORDER TO ENLARGE DATE FOR RESPONSE TO COMPLAINT by Magistrate Judge E. Robert Goebel on 8/25/2010; IT IS HEREBY ORDERED that the deadline for the Defendants to file their answer or respond tc the complaint is enlarged by thirty days until 9/24/2010. cc:counsel (PHB) (Entered: 08/25/2010)

* * *

09/24/2010 26 MOTION to Dismiss *Plaintiffs' Complaint or in the Alternative, For A More Definite Statement* by Defendants First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC Responses due by 10/18/2010 (Attachments: # 1 Memorandum in Support, # 2 Exhibit A - Letter to Flannery, # 3 Exhibit B - Letter to Silfin, # 4 Affidavit Declaration of Anthony Silwanowicz,

		# 5 Proposed Order) (O'Brien, Thomas). Added MOTION for More Definite Statement on 9/27/2010 (CDF). Modified motion text on 9/27/2010 (CDF). (Entered: 09/24/2010)
10/04/2010	27	RESPONSE to Motion re 26 MOTION to Dismiss Alternative MOTION for More Definite Statement filed by SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. Replies due by 10/21/2010. (Attachments: # 1 Exhibit 1 - First Quality Web Site Print Out, # 2 Exhibit 2 - '646 Patent and Re-examination Certificate, # 3 Exhibit 3 - Form 18 Complaint, # 4 Exhibit 4 - First Quality 2010 Product Catalog, # 5 Exhibit 5 - Email, # 6 Proposed Order) (Ames, E.) (Entered: 10/04/2010)
10/21/2010	28	REPLY to Response to Motion re 26 MOTION to Dismiss Alternative MOTION for More Definite Statement *Reply in Further Support of Defendants' Motion to Dismiss Plaintiffs' Complaint, or in the Alternative, for a More Definite Statement* filed by First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC.

Appendix A

Complaint by First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC, SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. (O'Brien, Thomas) (Entered: 08/24/2010)

08/25/2010 13 AGREED ORDER TO ENLARGE DATE FOR RESPONSE TO COMPLAINT by Magistrate Judge E. Robert Goebel on 8/25/2010; IT IS HEREBY ORDERED that the deadline for the Defendants to file their answer or respond to the complaint is enlarged by thirty days until 9/24/2010. cc:counsel (PHB) (Entered: 08/25/2010)

* * *

09/24/2010 26 MOTION to Dismiss *Plaintiffs' Complaint or in the Alternative, For A More Definite Statement* by Defendants First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC Responses due by 10/18/2010 (Attachments: # 1 Memorandum in Support, # 2 Exhibit A - Letter to Flannery, # 3 Exhibit B - Letter to Silfin, # 4 Affidavit Declaration of Anthony Silwanowicz,

		# 5 Proposed Order) (O'Brien, Thomas). Added MOTION for More Definite Statement on 9/27/2010 (CDF). Modified motion text on 9/27/2010 (CDF). (Entered: 09/24/2010)
10/04/2010	27	RESPONSE to Motion re 26 MOTION to Dismiss Alternative MOTION for More Definite Statement filed by SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. Replies due by 10/21/2010. (Attachments: # 1 Exhibit 1 - First Quality Web Site Print Out, # 2 Exhibit 2 - '646 Patent and Re-examination Certificate, # 3 Exhibit 3 - Form 18 Complaint, # 4 Exhibit 4 - First Quality 2010 Product Catalog, # 5 Exhibit 5 - Email, # 6 Proposed Order) (Ames, E.) (Entered: 10/04/2010)
10/21/2010	28	REPLY to Response to Motion re 26 MOTION to Dismiss Alternative MOTION for More Definite Statement *Reply in Further Support of Defendants' Motion to Dismiss Plaintiffs' Complaint, or in the Alternative, for a More Definite Statement* filed by First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC.

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		(O'Brien, Thomas) Modified event text on 10/22/2010 (CDF). (Entered: 10/21/2010)
11/29/2010	29	ORDER by Judge Joseph H. McKinley, Jr on 11/23/2010 denying 26 Motion to Dismiss; granting 26 Motion for More Definite Statement. The Court finds it desirable to require a more definite statement, which will narrow the general product category. The Court finds the allegation of indirect infringement sufficient without the need for more definite statement. Plaintiffs shall file an amended complaint within 15 days of the date of entry of this order. cc:counsel (PHB) (Entered: 11/29/2010)
11/30/2010	30	AMENDED COMPLAINT against All Defendants, filed by SCA Personal Care, Inc., SCA Hygiene Products Aktiebolag. (Attachments: # 1 Exhibit A - '646 Patent and Reexamination Certificate) (Ames, E.) (Entered: 11/30/2010)
		* * *
12/14/2014	32	*Defendants'* ANSWER to 30 Amended Complaint *and*, COUNTERCLAIM against All Plaintiffs by First Quality

Hygienic, Inc., First Quality Baby Products, LLC, First Quality Retail Services, LLC, First Quality Products, Inc. (O'Brien, Thomas) (Entered: 12/14/2010)

12/15/2010 33 *Plaintiffs'* ANSWER to 32 Answer to Amended Complaint, Counterclaim, *of All Defendants* by SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. (Ames, E.) (Entered: 12/15/2010)

* * *

05/31/2011 43 MOTION for Leave to *File Second Amended Complaint* by Plaintiffs SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. Responses due by 6/24/2011 (Attachments: # 1 Exhibit 1 - Second Amended Complaint, # 2 Exhibit A to Second Amended Complaint, # 3 Proposed Order) (Ames, E.) (Entered: 05/31/2011)

06/09/2011 44 RESPONSE to Motion re 43 MOTION for Leave to *File Second Amended Complaint* filed by First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC. Replies due by 6/27/2011. (Attachments: # 1

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		Exhibit 1 - proposed Second Amended Complaint, # 2 Proposed Order) (O'Brien, Thomas) Modified to add exhibit description on 6/10/2011 (CDF). (Entered: 06/09/2011)
06/14/2011	45	ORDER GRANTING PLAINTIFFS' MOTION TO FILE SECOND AMENDED COMPLAINT granting 43 Motion for Leave to File Second Amended Complaint. Signed by Magistrate Judge E. Robert Goebel on 6/14/2011. cc: Counsel, PH (CDF) (Entered: 06/14/2011)
06/14/2011	46	SECOND AMENDED COMPLAINT against First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC, filed by SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. (Attachments: # 1 Exhibit A - '646 patent, with Reexamination Certificate) (CDF) (Entered: 06/14/2011)
06/23/2011	47	*Defendants'* ANSWER to 46 Amended Complaint, *Affirmative Defenses and,* COUNTERCLAIM *to Plaintiffs' Second Amended Complaint* against All Plaintiffs by First Quality Baby Products, LLC, First Quality Retail Services, LLC, First Quality Hygienic,

		Inc., First Quality Products, Inc. (O'Brien, Thomas) Modified to correct typographical error on 6/24/2011 (CDF). (Entered: 06/23/2011)
07/13/2011	48	ANSWER to 47 Answer to Amended Complaint, Counterclaim, by SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. (Ames, E.) (Entered: 07/13/2011)
08/18/2011	49	Proposed Agreed Order/Stipulation *Protective Order* (Attachments: # 1 Exhibit A - Undertaking) by First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC, SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. (Ames, E.) (Entered: 08/18/2011)
		* * *
09/09/2011	51	*Final Joint Claim Construction Statement* / CONFERENCE STATEMENT re 38 Scheduling Conference, by First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC, SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. (Ames, E.) (Entered: 09/09/2011)

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10/07/2011	52	BRIEF - *Defendants' Opening Claim Construction Brief* (Attachments: # 1 Declaration of Richard Mandaro, # 2 Exhibit 1 - US Patent No. 6,375,646, # 3 Exhibit 2 - US Patent No. 5,415,649, # 4 Exhibit 3 - Paper No. 22, # 5 Exhibit 4 - Paper No. 10, # 6 Exhibit 5 - Paper No. 13, # 7 Exhibit 6 - Paper No. 23, # 8 Exhibit 7- After-Final Reply, # 9 Exhibit 8 - Office Action, # 10 Exhibit 9 - Reply, # 11 Exhibit 10 - Notice of Intent to Issue, # 12 Exhibit 11 - English Translation of French Writ) by First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC. (O'Brien, Thomas) (Main Document 52 replaced with substituted page 9 on 11/3/2011) (CDF). (Entered: 10/07/2011)
10/07/2011	53	BRIEF *SCAs Opening Claim Construction Brief* (Attachments: # 1 Exhibit A - '646 Patent, # 2 Exhibit B (part 1) - '646 Patent Prosecution History, # 3 Exhibit B (part 2) - '646 Patent Prosecution History, # 4 Exhibit B (part 3) - '646 Patent Prosecution History, # 5 Exhibit B (part 4) - '646 Patent Prosecution History, # 6 Exhibit C (part 1) - '646 Patent Reexamination File History, # 7 Exhibit C (part

2) - '646 Patent Reexamination File History, # 8 Exhibit C (part 3) - '646 Patent Reexamination File History, # 9 Exhibit D - Dictionary Definitions of "Stretch(ing)" and "Contract(ion)") by SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. (Ames, E.) (Entered: 10/07/2011)

* * *

11/04/2011 58 RESPONSE to re 53 Brief, *Claim Construction* filed by First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC. (Attachments: # 1 Exhibit A - Typhoon v Dell) (O'Brien, Thomas) (Entered: 11/04/2011)

11/04/2011 59 RESPONSE to re 52 Brief, filed by SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. (Ames, E.) (Entered: 11/04/2011)

* * *

02/10/2012 61 CLAIMS CONSTRUCTION MEMORANDUM OPINION AND ORDER by Chief Judge Joseph H.

McKinley, Jr. on 2/9/2012. For the reasons discussed herein, the Court has determined that the disputed claims are to be construed pursuant to this Claims Construction Memorandum Opinion and Order. cc: Counsel (CDF) (Entered: 02/10/2012)

02/22/2012 62 NOTICE *of Filing of Agreed Order* by First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC (Attachments: # 1 Proposed Order Agreed Order to Enlarge Date for Defendants to File Amended Pleading, # 2 Exhibit - Defendants' First Amended Answer) (O'Brien, Thomas) (Entered: 02/22/2012)

02/24/2012 63 AGREED ORDER by Magistrate Judge E. Robert Goebel on 2/23/2012; IT IS HEREBY ORDERED AND ADJUDGES that the deadline for motions to amend pleadings previously set 6/1/2011 is extended to allow Defendants to amend their pleading to add two(2) additional affirmative defenses. IT IS FURTHER ORDERED that the tendered Defendants' First Amended Answer, Affirmative Defense and Counterclaims to Plaintiffs'

Amended Complaint shall be filed with the Clerk of the Court. cc: counsel (PHB) (Entered: 02/24/2012)

02/24/2012 64 FIRST AMENDED ANSWER, AFFIRMATIVE DEFENSES AND COUNTERCLAIM filed by First Quality Baby Products, LLC, Inc., et al. to Plaintiffs' 46 Amended Complaint. (PHB) (Main Document 64 replaced on 3/7/2012 pursuant to DN 71 Order) (CDF). (Entered: 02/24/2012)

* * *

03/05/2012 68 Consent MOTION to Strike and Substitute 64 Amended Answer to Complaint, Counterclaim, 46 Amended Complaint,. Document or Part to be Stricken and/or Substituted: DE 64 *to be stricken and attached Exhibit A to this Motion to be Substituted* by Defendants First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC Responses due by 3/23/2012 (Attachments: # 1 Exhibit A - Defendants' First Amended Answer, Affirmative Defenses and Counterclaims to Plaintiffs' Second Amended Complaint, # 2 Proposed Order) (O'Brien, Thomas) (Entered: 03/05/2012)

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* * *

03/07/2012	71	ORDER granting 68 Motion to Strike and Substitute. Signed by Magistrate Judge E. Robert Goebel on 3/6/2012. Clerk shall strike the pleading filed as noted (DN 64) and substitute the corrected Defendants' First Amended Answer, Affirmative Defenses and Counterclaims to Plaintiffs' Second Amended Complaint attached to Defendants' Consented Motion. cc: Counsel, PH (CDF) (Entered: 03/07/2012)

* * *

03/20/2012	73	ANSWER to 64 Amended Answer to Complaint, Counterclaim by SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. (Ames, E.) (Entered: 03/20/2012)

* * *

11/12/2012	82	MOTION for Summary Judgment by Defendants First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC Responses due by 12/6/2012 (Attachments: # 1 Memorandum in

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Support TO BE FILED UNDER SEAL, # 2 Proposed Order) (O'Brien, Thomas) (Entered: 11/12/2012)

11/12/2012 83 Sealed Document (sealed pursuant to 50 Protective Order), re 82 (Attachments: # 1 Affidavit /Declaration of Charles Macedo in Support of Motion for Summary Judgment, # 2 Exhibit 1 - US Patent, # 3 Exhibit 2 - Excerpts of 6/25/12 transcript, # 4 Exhibit 3 - Excerpts of 8/28/12 transcript, # 5 Exhibit 4 - Revised infringement contentions, # 6 Exhibit 5 - Chart, # 7 Exhibit 6 - Infringement contentions, # 8 Exhibit 7 - 10/31/03 letter, # 9 Exhibit 8 - 11/21/03 letter, # 10 Exhibit 9 - 4/27/04 letter, # 11 Exhibit 10 - 5/24/04 letter, # 12 Exhibit 11 - 7/6/04 letter, # 13 Exhibit 12 - 7/20/04 letter, # 14 Exhibit 13 - Part 1 of 13 - Request for Reexamination, # 15 Exhibit 13 - Part 2 of 13, # 16 Exhibit 13 - Part 3 of 13, # 17 Exhibit 13 - Part 4 of 13, # 18 Exhibit 13 - Part 5 of 13, # 19 Exhibit 13 - Part 6 of 13, # 20 Exhibit 13 - Part 7 of 13, # 21 Exhibit 13 - Part 8 of 13, # 22 Exhibit 13 - Part 9 of 13, # 23 Exhibit 13 - Part 10 of 13, # 24 Exhibit 13 - Part 11 of 13, # 25 Exhibit 13 - Part 12 of 13, # 26 Exhibit 13 - Part 13 of 13, # 27 Exhibit 14 - Excerpts of 8/1/12 transcript, # 28 Exhibit 15 - Excerpts

of 8/31/12 transcript, # 29 Exhibit 16 - 1/1/98 Opposition, # 30 Exhibit 17 - Excerpts of 8/9/12 transcript, # 31 Exhibit 18 - Excerpts from 5/31/12 transcript, # 32 Exhibit 19 - Excerpts from 5/31/12 transcript, # 33 Exhibit 20 - Excerpts from 3/29/12 transcript, # 34 Exhibit 21 - Excerpts from 8/16/12 transcript, # 35 Exhibit 22 - 3/3/04 email, # 36 Exhibit 23 - 7/8/04 memorandum, # 37 Exhibit 24 - 9/7/05 email, # 38 Exhibit 25 - 10/19/12 expert report, # 39 Exhibit 26 - 8/16/06 email, # 40 Exhibit 27 - 12/2007 Management Letter, # 41 Exhibit 28 - 6/8/09 email, # 42 Exhibit 29 - 2/17/10 email, # 43 Exhibit 30 - 4/20/12 Objections to discovery, # 44 Exhibit 31 - Excerpts from 3/15/12 transcript, # 45 Exhibit 32 - Excerpts from 6/25/12 transcript, # 46 Exhibit 33 - Excerpts from 5/3/12 transcript, # 47 Exhibit 34 - Excerpts from 6/19/12 transcript, # 48 Exhibit 35 - Excerpts from 6/6/12 transcript, # 49 Exhibit 36 - Excerpts from 8/28/12 transcript, # 50 Exhibit 37 - 9/25/07 Settlement Agreement, # 51 Exhibit 38 - Excerpts from 9/14/12 discovery, # 52 Exhibit 39 - Excerpts from 10/19/12 expert report) (O'Brien, Thomas) Modified to add text and link to DN 50 on 11/13/2012 (CDF). (Entered: 11/12/2012)

11/12/2012	84	MOTION for Hearing re 82 MOTION for Summary Judgment by Defendants First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC Responses due by 12/6/2012 (Attachments: # 1 Proposed Order) (O'Brien, Thomas) (Entered: 11/12/2012)
11/20/2012	85	Proposed Agreed Order/Stipulation by First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC, SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. (Ames, E.) (Entered: 11/20/2012)
11/21/2012	86	AGREED ORDER by Magistrate Judge H. Brent Brennenstuhl on 11/21/2012 re 82 MOTION for Summary Judgment, 84 MOTION for Hearing. Plaintiffs' responses to Defendants' Motion for Summary Judgment and Motion for Hearing shall be served on or before 12/24/2012, and Defendants' replies shall be served on or before 1/18/2013. cc: Counsel (CDF) (Entered: 11/21/2012)

* * *

12/17/2012	91	Proposed Agreed Order/Stipulation by First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC, SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. (Ames, E.) (Entered: 12/17/2012)
12/21/2012	92	AGREED ORDER by Magistrate Judge H. Brent Brennenstuhl on 12/20/2012 re 82 MOTION for Summary Judgment, 84 MOTION for Hearing. Plaintiffs' responses to Defendants' Motion for Summary Judgment and Motion for Hearing shall be served on or before 1/3/2013, and Defendants' replies shall be served on or before 1/25/2013. cc: Counsel (CDF) (Entered: 12/21/2012)

* * *

01/03/2013	94	RESPONSE to Motion re 84 MOTION for Hearing re 82 MOTION for Summary Judgment filed by SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. Replies due by 1/22/2013. (Attachments: # 1 Proposed Order) (Ames, E.) (Entered: 01/03/2013)

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01/03/2013	95	Sealed Document re 50 (Attachments: # 1 Proposed Order, # 2 Affidavit, # 3 Exhibit 1, # 4 Exhibit 2, # 5 Exhibit 3, # 6 Exhibit 4, # 7 Exhibit 5, # 8 Exhibit 6, # 9 Exhibit 7, # 10 Exhibit 8, # 11 Exhibit 9, # 12 Exhibit 10a, # 13 Exhibit 10b, # 14 Exhibit 11, # 15 Exhibit 12a, # 16 Exhibit 12b, # 17 Exhibit 12c, # 18 Exhibit 13, # 19 Exhibit 14, # 20 Exhibit 15, # 21 Exhibit 16, # 22 Exhibit 17, # 23 Exhibit 18, # 24 Exhibit 19, # 25 Exhibit 20, # 26 Exhibit 21, # 27 Exhibit 22, # 28 Exhibit 23, # 29 Exhibit 24a, # 30 Exhibit 24b, # 31 Exhibit 25, # 32 Exhibit 26, # 33 Exhibit 27, # 34 Exhibit 28, # 35 Exhibit 29, # 36 Exhibit 30, # 37 Exhibit 31, # 38 Exhibit 32, # 39 Exhibit 33, # 40 Exhibit 34, # 41 Exhibit 35, # 42 Exhibit 36, # 43 Exhibit 37, # 44 Exhibit 38a, # 45 Exhibit 38b, # 46 Exhibit 39, # 47 Exhibit 40, # 48 Exhibit 41, # 49 Exhibit 42, # 50 Exhibit 43, # 51 Exhibit 44, # 52 Exhibit 45, # 53 Exhibit 46, # 54 Exhibit 47, # 55 Exhibit 48) (Ames, E.) (Entered: 01/03/2013)
01/03/2013		SEALED RESPONSE to Motion (See DN 95 to view full PDF) re 82 MOTION for Summary Judgment by

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SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. Replies due by 1/22/2013. (TJDS) (Entered: 01/04/2013)

* * *

01/11/2013 98 MOTION for Summary Judgment *of Noninfringement* by Defendants First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC Responses due by 2/4/2013 (Attachments: # 1 Memorandum in Support, # 2 Affidavit /Declaration Daniel Gardner, # 3 Exhibit 1 - US Patent, # 4 Exhibit 2 - CV, # 5 Exhibit 3 - EP0320991 to Van Gompel, # 6 Exhibit 4 - Part 1 of 9 - Expert Report of Earle Sherrod, # 7 Exhibit 4 - Part 2 of 9, # 8 Exhibit 4 - Part 3 of 9, # 9 Exhibit 4 - Part 4 of 9, # 10 Exhibit 4 - Part 5 of 9, # 11 Exhibit 4 - Part 6 of 9, # 12 Exhibit 4 - Part 7 of 9, # 13 Exhibit 4 - Part 8 of 9, # 14 Exhibit 4 - Part 9 of 9, # 15 Exhibit 5 - Excerpts from Sherrod Deposition, # 16 Exhibit 6 - Excerpts from Widlund Deposition, # 17 Proposed Order) (O'Brien, Thomas) (Entered: 01/11/2013)

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01/25/2013	102	Sealed Document re 82, 94, 50 (Attachments: # 1 Affidavit/Declaration of Charles Macedo) (O'Brien, Thomas) (Entered: 01/25/2013)

* * *

01/25/2013	SEALED REPLY to Response to Motion (See DN 102 for viewing pdf document.) re 82 MOTION for Summary Judgment by First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC. (CDFS) (Entered: 01/28/2013)

* * *

02/19/2013	SEALED RESPONSE to Motion (See DN 108.) re 98 MOTION for Partial Summary Judgment of *Noninfringement* by SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. Replies due by 3/15/2013. (CDFS) Modified Replies due deadline from 3/8/2013 to 3/15/2013 on 2/20/2013 (CDF). (Entered: 02/20/2013)

* * *

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03/12/2013	111	NOTICE *of Supplemental Authority to Reply Memorandum in Support of Its Motion for Summary Judgment of Laces & Equitable Estoppel* by First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC re 102 Sealed Document, Sealed Reply to Response to Motion, (Attachments: # 1 Exhibit 1 - Case Law: Radio Sys. Corp v. Lalor) (O'Brien, Thomas) (Entered: 03/12/2013)

* * *

03/20/2013	114	Sealed Document re 108, 50, 98 (O'Brien, Thomas) (Entered: 03/20/2013)
03/20/2013		SEALED REPLY to Response to Motion (SEE DN 114 to view PDF.) re 98 MOTION for Summary Judgment *of Noninfringement* by First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC. (CDFS) (Entered: 03/21/2013)

* * *

07/16/2013	119	MEMORANDUM OPINION AND ORDER by Chief Judge Joseph H.

McKinley, Jr. on 7/15/2013 re 82 83 MOTION for Summary Judgment and 84 MOTION for Hearing. For the reason set forth above, IT IS HEREBY ORDERED that the motion by Defendants for summary judgment based on the doctrines of laches and equitable estoppel (DN 82, DN 83) is GRANTED and the motion by First Quality for a hearing on this motion for summary judgment (DN 84) is DENIED. IT IS FURTHER ORDERED that all remaining motions are DENIED AS MOOT. A Judgment shall be entered consistent with the Opinion. cc: Counsel (CDF) (Entered: 07/16/2013)

07/16/2013 120 JUDGMENT by Chief Judge Joseph H. McKinley, Jr. on 7/15/2013. IT IS HEREBY ORDERED that judgment be entered in favor of the Defendants consistent with the Court's Memorandum Opinion and Order (DN 119) and the Plaintiffs' Complaint is dismissed with prejudice. cc: Counsel (CDF) (Entered: 07/16/2013)

08/08/2013 121 STIPULATION of Dismissal *of Counterclaims* by SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. (Ames, E.) (Entered: 08/08/2013)

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08/12/2013	122	NOTICE OF APPEAL as to 120 Order on Motion for Summary Judgment, Order on Motion for Hearing, 119 Memorandum & Opinion, Order, by SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. Filing fee $ 455, receipt number 0644-1668569. (Attachments: # 1 Exhibit A - Judgment, # 2 Exhibit B - Memorandum Opinion and Order, # 3 Exhibit C - Stipulation of Dismissal) (Ames, E.) (Entered: 08/12/2013)
08/13/2013		Transmission of Notice of Appeal, Appeal Information Sheet, Certified Docket Report, and Memorandum Opinion and Order and Judgment to US Court of Appeals for the Federal Circuit, re 122 Notice of Appeal. (CDR) (Entered: 08/13/2013)

* * *

08/16/2013	124	USCA for the Federal Circuit - NOTICE OF DOCKETING - Case Number 13-1564 for 122 Notice of Appeal, filed by SCA Personal Care, Inc., SCA Hygiene Products Aktiebolag. (Attachments: # 1 Official Caption page) (CDR) (Entered: 08/16/2013)

08/16/2013	125	NOTICE of Filing or Determination re: Patent or Trademark re 119 Memorandum & Opinion, Order, 120 Judgment. (Attachments: # 1 Memorandum Opinion and Order, # 2 Judgment) (CDR) (Entered: 08/16/2013)

* * *

09/19/2014	134	OPINION of USCA as to 122 Notice of Appeal: AFFIRMING IN PART and REVERSING IN PART. Case is REMANDED. (Attachments: # 1 Opinion) (JBM) (Entered: 09/19/2014)

* * *

09/22/2015	137	USCA FOR THE FEDERAL CIRCUIT OPINION AND JUDGMENT (MANDATE TO ISSUE) entered 9/18/2015 reversing and remanding to district court for proceedings consistent with opinion re 122 Notice of Appeal. (JWM) Modified text on 9/23/2015 (CDR). (Entered: 09/22/2015)
10/29/2015	138	USCA FOR THE FEDERAL CIRCUIT MANDATE ISSUED re 122 Notice of Appeal. (JWM) (Entered: 10/29/2015)

12/21/2015	139	MOTION to Stay *Pending Petition for Writ of Certiorari* by Plaintiffs SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. Responses due by 1/14/2016 (Attachments: # 1 Memorandum in Support, # 2 Exhibit A - Law 360 Article, # 3 Exhibit B - ABA Patent Litigation Committee Report, # 4 Proposed Order) (Ames, E.) (Entered: 12/21/2015)
01/13/2016	140	RESPONSE to Motion re 139 MOTION to Stay *Pending Petition for Writ of Certiorari* filed by First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC. Replies due by 2/1/2016. (Attachments: # 1 Proposed Order) (O'Brien, Thomas) (Entered: 01/13/2016)
02/01/2016	141	REPLY to Response to Motion re 139 MOTION to Stay *Pending Petition for Writ of Certiorari* filed by SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. (Attachments: # 1 Exhibit 1 - SCA Petition for Writ of Certiorari, # 2 Exhibit 2 - Article by R Davis, # 3 Exhibit 3 - Article by A Chung) (Ames, E.) (Entered: 02/01/2016)

02/05/2016	142	MOTION for Leave to *File a Sur-Reply in Opposition to SCA's Motion to Stay* by Defendants First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC, Counter Claimants First Quality Baby Products, LLC, First Quality Baby Products, LLC, First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Hygienic, Inc., First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Products, Inc., First Quality Products, Inc., First Quality Retail Services, LLC, First Quality Retail Services, LLC, First Quality Retail Services, LLC Responses due by 2/29/2016 (Attachments: # 1 Exhibit A - FQ's Sur-Reply, # 2 Proposed Order) (O'Brien, Thomas) (Entered: 02/05/2016)

* * *

02/29/2016	145	RESPONSE to Motion re 142 MOTION for Leave to *File a Sur-Reply in Opposition to SCA's Motion to Stay* filed by SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. Replies due by 3/17/2016. (Ames, E.) (Entered: 02/29/2016)

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03/01/2016	146	REPLY to Response to Motion re 142 MOTION for Leave to *File a Sur-Reply in Opposition to SCA's Motion to Stay* filed by First Quality Baby Products, LLC, First Quality Hygienic, Inc., First Quality Products, Inc., First Quality Retail Services, LLC. (O'Brien, Thomas) (Entered: 03/01/2016)
05/03/2016	147	Letter from Kenneth P. George, Attorney for Defendants First Quality Baby Products, LLC, et al re DN 139 by First Quality Baby Products, LLC. (O'Brien, Thomas) Modified to add links and edit text on 5/4/2016 (JWM). (Entered: 05/03/2016)
05/05/2016	148	Letter from E. Kenly Ames re DN 139 by SCA Hygiene Products Aktiebolag, SCA Personal Care, Inc. (Ames, E.) Modified to add links on 5/5/2016 (JWM). (Entered: 05/05/2016)

APPENDIX B — UNITED STATES PATENT AND TRADEMARK OFFICE OFFICIAL GAZETTE NOTICES OF REQUESTS FOR *EX PARTE* REEXAMINATION FILED, DATED AUGUST 24, 2004

United States Patent and Trademark Office *OG Notices:* *24 August 2004*

Requests for *Ex Parte* Reexamination Filed

4,781,472, Reexam. C.N. 90/007,113, Requested Date: Jul. 08, 2004, Cl. 383/016, Title: LARGE BAG WITH LINER, Inventor: Arnie La Fleur, *et al.*, Owner of Record: Scholle Custom Packaging, Inc., Manistee, MI, Attorney or Agent: Reising, Ethington, Barnes, Kisselle, Learman & McCull, Troy, MI, Ex. Gp.: 3727, Requester: Dorian B. Kennedy, Atlanta, GA

5,074,456, Reexam. C.N. 90/007,114, Requested Date: Jul. 08, 2004, Cl. 228/121, Title: COMPOSITE ELECTRODE FOR PLASMA PROCESSES, Inventor: Raymond L. Degner, *et al.*, Owner of Record: Lam Research Corporation, Fremont, CA, Attorney or Agent: Burns Doane Swecker & Mathis, Alexandria, VA, Ex. Gp.: 1725, Requester: John E. Wagner, Glendale, CA

5,224,540, Reexam. C.N. 90/007,107, Requested Date: Jul. 06, 2004, Cl. 166/118, Title: DOWNHOLE TOOL APPARATUS WITH NON-METALLIC COMPONENTS AND METHODS OF DRILLING THEREOF, Inventor: Steven G. Streich, *et al.*, Owner of Record: Halliburton Energy Services, Inc., Houston, TX, Attorney or Agent: Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, Washington, DC, Ex. Gp.: 3672, Requester: Owner

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5,271,468, Reexam. C.N. 90/007,108, Requested Date: Jul. 06, 2004, Cl. 166/387, Title: DOWNHOLE TOOL APPARATUS WITH NON-METALLIC COMPONENTS AND METHODS OF DRILLING THEREOF, Inventor: Steven G. Streich, *et al.*, Owner of Record: Halliburton Energy Services, Inc., Houston, TX, Attorney or Agent: Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, Washington, DC, Ex. Gp.: 3672, Requester: Owner

5,813,131, Reexam. C.N. 90/007,104, Requested Date: Jul. 02, 2004, Cl. 033/645, Title: TELESCOPE MOUNTING ALIGNMENT BARS, Inventor: John D. Werre, Owners of Record: John D. Werre, Kalispell, MT, Attorney or Agent: Carl G. Dowrey, Snohomish, WA, Ex. Gp.: 2859, Requester: Scott D. Eads, Portland, OR

6,375,646, Reexam. C.N. 90/007,112, Requested Date: Jul. 07, 2004, Cl. 604/385.3, Title: ABSORBENT PANTS-TYPE DIAPER, Inventor: Urban Widlund, *et al.*, Owners of Record: SCA Hygiene Products AB, Goteborg, Sweden, Attorney or Agent: Robert J. Patch, Young & Thompson, Arlington, VA, Ex. Gp.: 3761, Requester: William C. Roland, Alexandria VA

6,404,815, Reexam. C.N. 90/007,106, Requested Date: Jul. 02, 2004, Cl. 375/240.16, Title: IMAGE ENCODER, IMAGE DECODER, IMAGE ENCODING METHOD AND IMAGE ENCODING/DECODING SYSTEM, Inventor: Shunichi Sekiguchi, *et al.*, Owner of Record: Mitsubishi Denki Kabushiki Kaisha, Tokyo, Japan, Attorney or Agent: Birch Stewart Kolasch & Birch, Falls Church, VA, Ex. Gp.: 2613, Requestor: Owner

Appendix B

6,469,012, Reexam. C.N. 90/007,110, Requested Date: Jul. 07, 2004, Cl. 514/234.5, Title: PYRAZOLOPYRIMIDINONES FOR THE TREATMENT OF IMPOTENCE, Inventor: Peter Ellis, *et al.*, Owner of Record: Pfizer, Inc., New York, NY, Attorney or Agent: Gregg C. Benson, Pfizer, Inc., Groton, CT, Ex. Gp.: 1621, Requester: Larry S. Nixon, Arlington, VA

6,502,579, Reexam. C.N. 90/007,105, Requested Date: Jun. 30, 2004, Cl. 128/898, Title: LASER ONYCHECTOMY BY RESECTION OF THE REDUNDANT EPITHELIUM OF THE UNGUAL CREST, Inventor: William P. Young, Owner of Record: William P. Young, Canal Winchester, OH, Attorney or Agent: Kremblas, Foster, Phillips & Pollick, Reynoldsburg, OH, Ex. Gp.: 3738, Requester: Stephen N. Weiss, New York, NY

6,553,809, Reexam. C.N. 90/007,109, Requested Date: Jul. 07, 2004, Cl. 073/040 5A, Title: METHOD AND APPARATUS FOR DETECTING HOLES IN PLASTIC CONTAINERS, Inventor: Donald W. Hayward, *et al.*, Attorney or Agent: MacMillan, Sobanski & Todd, LLC, Toledo, OH, Ex. Gp.: 2856, Requester: Owner

6,679,243, Reexam. C.N. 90/007,111, Requested Date: Jul. 07, 2004, Cl. 125/012, Title: BRAZED DIAMOND TOOLS AND METHOD FOR MAKING, Inventor: Chien-Min Sung, Owners of Record: Chien-Min Sung, Tansui, Taipei, Taiwan, Attorney or Agent: M. Wayne Western, Thorpe, North & Western, Sandy, UT, Ex. Gp.: 3724, Requester: Patricia D. Grenados, Washington, DC

APPENDIX C — LETTER FROM KENNETH P. GEORGE TO RONALD L. GRUDZIECKI, DATED NOVEMBER 21, 2003

November 21, 2003

Ronald L. Grudziecki, Esq.
Burns Doane Swecker & Mathis LLP
1737 King Street - Suite 500
Alexandria, Virginia 22314-2727

Re: Prevail® All Nites™ Absorbent Pants-type Diapers
Our File: 34304/21

Dear Mr. Grudziecki:

We represent First Quality Products, Inc. (the manufacturer and seller of the above-identified product), and your letter of October 31, 2003 to Mr. Kambiz Damaghi has been referred to us for response. For your information, we also represent First Quality Enterprises, Inc. and, in the future, correspondence from you to either First Quality Enterprises or First Quality Products should be directed to the undersigned.

As you suggested, we studied U.S. Patent No. 6,375,646 B1 ("the '646 Patent"), which we understand is owned by your client SCA Hygiene Products AB. In addition, we made a cursory review of prior patents and located U.S. Patent No. 5,415,649, ("the '649 Patent"), which was filed in the United States on October 29, 1991 and is therefore prior to your client's '646 Patent. A review

of Figs. 3 and 4 of the prior '649 Patent reveals the same diaper construction claimed by the '646 Patent. Thus, the prior '649 Patent invalidates your client's '646 Patent. As you know, an invalid patent cannot be infringed.

Very truly yours,

AMSTER, ROTHSTEIN
& EBENSTEIN LLP
/s/
Kenneth P. George

APPENDIX D — LETTER FROM RONALD L. GRUDZIECKI TO KAMBIZ DAMAGHI, DATED OCTOBER 31, 2003

October 31, 2003

Mr. Kambiz Damaghi
President
First Quality Enterprises, Inc.
Suite 500
80 Cuttermill Road
Great Neck, New York 11021

Re: Prevail® All Nites™ Absorbent Pants-type Diapers

Dear Mr. Damaghi:

We represent SCA Hygiene Products AB (SCA) of Göteborg, Sweden. SCA is the owner of the patent rights set forth in U.S. Patent No. 6,375,646 B1, which relates to absorbent pants-type diapers, a copy of which is attached.

It has come to our attention that you are making, selling and/or offering for sale in the United States absorbent pants-type diapers under the name Prevail® All Nites™. We believe that these products infringe claims of the patent listed above.

We suggest that you study U.S. Patent No. 6,375,646 B1. If you are of the opinion that the First Quality Prevail® All Nites™ absorbent pants-type diaper does not infringe any of the claims of this patent, please provide us with

an explanation as to why you believe the products do not infringe. If you believe that the products do infringe, please provide us with your assurance that you will immediately stop making and selling such products.

Please provide us with your response before November 21, 2003.

Sincerely,

/s/_____
Ronald L. Grudziecki